

**FILE COPY**

STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

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IN THE MATTER OF  
THE SECURITY GUARD PERMIT OF  
TYRONE DOTSON,

Applicant

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ORDER GRANTING LIMITED  
PRIVATE SECURITY PERMIT  
AND IMPOSING DISCIPLINE

97 RSG 008

LS9712093RSG

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TO: Tyrone Dotson  
4951 N. 18th St.  
Milwaukee, WI 53209

**FINDINGS OF FACT**

1. On or about September 12, 1997, Tyrone Dotson filed an application with the Department for a security guard permit. . Mr. Dotson's last known address is 4951 N. 18th St., Milwaukee, WI 53209.
2. In Mr. Dotson's application materials, he indicated "No" in response to the following question:

Have you ever been convicted of a misdemeanor or a felony, or driving while intoxicated (DWI), in this or any other state, **OR** are criminal charges or DWI charges currently pending against you? If YES, complete and attach Form #2252.
3. A subsequent Crime Information Bureau records search by the Department revealed that Respondent had a history of two criminal convictions: a 1990 disorderly conduct conviction and a 1993 municipal conviction for cable theft.
4. On September 16, 1997, Applicant was sent a Notice of Intent to Deny his application, based upon his misrepresentation of his conviction record. The provision of false information in an application for a security guard permit constitutes a violation of sec. 440.26(6), Stats.
5. The Department issued a Notice of Denial on September 23, 1997. On or about September 30, 1997, Applicant submitted a Request for Hearing on the denial of his security guard permit

6. The Department and Applicant have entered into a Stipulation by which the Department agreed to issue, and applicant agreed to accept a permit to practice security guard subject to the conditions set forth in the following Conclusions Of Law and Order

### CONCLUSIONS OF LAW

The applicant, by his provision of false information in an application for a security guard permit violated sec. 440.26(6), Stats.

### ORDER

Based upon the stipulation and information of record herein, NOW, THEREFORE, IT IS ORDERED that:

1. The stipulation of the parties is approved.
2. Tyrone Dotson is GRANTED a security guard permit, subject to the following terms and conditions:
  - a. Within ninety (90) days from date of this Order, the Respondent shall pay to the Department of Regulation and Licensing partial COSTS of the investigation and prosecution of this action in the sum of ONE HUNDRED AND FIFTY dollars [\$150.00]. *Payment shall be made by certified check or money order, payable to the Wisconsin Department of Regulation and Licensing.*
  - b. If Mr. Dotson fails to successfully and timely pay the costs imposed in paragraph 2a, above, his permit shall be SUSPENDED without further notice or hearing until such time as he has complied with the terms of paragraph 2a.
  - c. In conjunction with the biennial renewal of his permit, Applicant may petition the Department to revise or eliminate any of the above conditions. Denial in whole or in part of a petition under this paragraph shall not constitute denial of a permit and shall not give rise to a contested case within the meaning of secs. 227.01(3) and 227.42, Stats.
  - d. Mr. Dotson shall report to the Department any change in employment status, change of residence address or change of telephone number, within fifteen (15) days of any such change.
  - e. Until such time as approved by the Department, Mr. Dotson may not carry a fire arm.
3. The applicant, Tyrone Dotson, is REPRIMANDED for the provision of false information on his application for a permit.

## SUMMARY SUSPENSION

Violation of any of the terms of this Order shall be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Applicant's permit.

This Order shall become effective upon the date of its signing.

DEPARTMENT OF REGULATION AND LICENSING

By Martine A. Gump  
On behalf of the Department

12/9/97  
Date

STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

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IN THE MATTER OF  
THE SECURITY GUARD PERMIT OF

TYRONE DOTSON,

Applicant

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STIPULATION  
97 RSG 008

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It is hereby stipulated between and the State of Wisconsin Department of Regulation and Licensing as follows:

1. This Stipulation is entered into in resolution of Applicant Tyrone Dotson's request for a hearing on the Denial of his application for a security guard permit. Based upon the information of record herein, the Department agrees to issue, and the Applicant agrees to accept, an Order issuing a security guard permit subject to the terms and conditions set forth in the attached Order.

2. Mr. Dotson understands that by the signing of this Stipulation he voluntarily and knowingly waives his rights to a hearing on the Board's denial of license, including the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.

3. Mr. Dotson is aware of his right to seek legal representation and has been provided an opportunity to obtain legal advice prior to signing this stipulation.

4. Mr. Dotson agrees to the adoption of the attached Final Decision and Order by the Department of Regulation and Licensing. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Applicant waives all rights to any appeal of the Department's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Department, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the

Department, the parties agree not to contend that the Department has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this stipulation agree that the attorney for the Division of Enforcement and the final decision maker in this matter for the purposes of speaking in support of this agreement and answering questions that the decision maker may have in connection with his or her deliberations on the stipulation.

7. The Division of Enforcement joins Mr. Dotson in recommending that the Department adopt this Stipulation and issue the attached Final Decision and Order.

Dated this 7<sup>th</sup> day of December, 1997.

Tyrone Dotson  
Tyrone Dotson,  
Applicant

Dated this 9<sup>th</sup> day of December, 1997.

STATE OF WISCONSIN DEPARTMENT OF REGULATION AND LICENSING

By Martin A. Garry  
On behalf of the Department

STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

In the Matter of the Security Guard Permit of

Tyrone Dotson,

AFFIDAVIT OF MAILING


Applicant.

STATE OF WISCONSIN    )  
                                  )  
COUNTY OF DANE        )

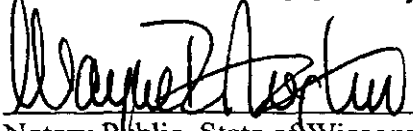
I, Kate Rotenberg, having been duly sworn on oath, state the following to be true and correct based on my personal knowledge:

1. I am employed by the Wisconsin Department of Regulation and Licensing.
2. On December 16, 1997, I served the Order Granting Limited Private Security Permit and Imposing Discipline dated December 9, 1997, and Limited License, LS9712093RSG, upon the Applicant Tyrone Dotson by enclosing true and accurate copies of the above-described documents in an envelope properly stamped and addressed to the above-named Applicant and placing the envelope in the State of Wisconsin mail system to be mailed by the United States Post Office by certified mail. The certified mail receipt number on the envelope is P 221 157 664.
3. The address used for mailing the Decision is the address that appears in the records of the Department as the Applicant's last-known address and is:

Tyrone Dotson  
4951 N. 18th Street  
Milwaukee WI 53209

  
\_\_\_\_\_  
Kate Rotenberg  
Department of Regulation and Licensing  
Office of Legal Counsel

Subscribed and sworn to before me  
this 16th day of December, 1997.

  
\_\_\_\_\_  
Notary Public, State of Wisconsin  
My commission is permanent.

## NOTICE OF RIGHTS OF APPEAL

TO: TYRONE DOTSON

You have been issued a Final Decision and Order. For purposes of service the date of mailing of this Final Decision and Order is 12/16/97. Your rights to request a rehearing and/or judicial review are summarized below and set forth fully in the statutes reprinted on the reverse side.

### A. REHEARING.

Any person aggrieved by this order may file a written petition for rehearing within 20 days after service of this order, as provided in section 227.49 of the Wisconsin Statutes. The 20 day period commences on the day of personal service or the date of mailing of this decision. The date of mailing of this Final Decision is shown above.

A petition for rehearing should name as respondent and be filed with the party identified below.

A petition for rehearing shall specify in detail the grounds for relief sought and supporting authorities. Rehearing will be granted only on the basis of some material error of law, material error of fact, or new evidence sufficiently strong to reverse or modify the Order which could not have been previously discovered by due diligence. The agency may order a rehearing or enter an order disposing of the petition without a hearing. If the agency does not enter an order disposing of the petition within 30 days of the filing of the petition, the petition shall be deemed to have been denied at the end of the 30 day period.

A petition for rehearing is not a prerequisite for judicial review.

### B. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in section 227.53, Wisconsin Statutes (copy on reverse side). The petition for judicial review must be filed in circuit court where the petitioner resides, except if the petitioner is a non-resident of the state, the proceedings shall be in the circuit court for Dane County. The petition should name as the respondent the Department, Board, Examining Board, or Affiliated Credentialing Board which issued the Final Decision and Order. A copy of the petition for judicial review must also be served upon the respondent at the address listed below.

A petition for judicial review must be served personally or by certified mail on the respondent and filed with the court within 30 days after service of the Final Decision and Order if there is no petition for rehearing, or within 30 days after service of the order finally disposing of a petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing. Courts have held that the right to judicial review of administrative agency decisions is dependent upon strict compliance with the requirements of sec. 227.53 (1) (a), Stats. This statute requires, among other things, that a petition for review be served upon the agency and be filed with the clerk of the circuit court within the applicable thirty day period.

The 30 day period for serving and filing a petition for judicial review commences on the day after personal service or mailing of the Final Decision and Order by the agency, or, if a petition for rehearing has been timely filed, the day after personal service or mailing of a final decision or disposition by the agency of the petition for rehearing, or the day after the final disposition by operation of the law of a petition for rehearing. The date of mailing of this Final Decision and Order is shown above.

The petition shall state the nature of the petitioner's interest, the facts showing that the petitioner is a person aggrieved by the decision, and the grounds specified in section 227.57, Wisconsin Statutes, upon which the petitioner contends that the decision should be reversed or modified. The petition shall be entitled in the name of the person serving it as Petitioner and the Respondent as described below.

### **SERVE PETITION FOR REHEARING OR JUDICIAL REVIEW ON:**

**STATE OF WISCONSIN DEPARTMENT OF REGULATION AND LICENSING**

**1400 East Washington Avenue**

**P.O. Box 8935**

**Madison WI 53708-8935**